United Nations A/72/362

General Assembly

Distr.: General
24 August 2017
English
Original: Spanish

Seventy-second session
Item 115 (d) of the provisional agenda*
Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Letter dated 24 August 2017 from the Permanent Representative of Peru to the United Nations addressed to the President of the General Assembly

I have the honour to recall that the Government of Peru presented its candidature to the Human Rights Council for the period 2018-2020 at elections to be held during the seventy-second session of the General Assembly.

In that regard, and in accordance with General Assembly resolution 60/251, the Government of Peru has the honour to transmit herewith the voluntary pledges of Peru reaffirming its commitment to the protection and promotion of human rights and its active participation in the Human Rights Council (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under item 115 (d) of the provisional agenda.

(*Signed*) Gustavo **Meza-Cuadra**
Ambassador
Permanent Representative

* A/72/150.

17-14719 (E) 300817 010917

Please recycle

Annex to the letter dated 24 August 2017 from the Permanent Representative of Peru to the United Nations addressed to the President of the General Assembly

[Original: Spanish]

Candidature of Peru for election to the Human Rights Council, 2018-2020

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

Peru has an unwavering policy of respecting, promoting and protecting human rights — both civil and political rights and economic, social and cultural rights — and also fundamental freedoms, democracy and the rule of law, in accordance with the country's Constitution and its obligations under the international instruments to which it is a party. Peru accordingly recognizes that human rights are inherently universal, indivisible and interdependent.

In line with that consistent position, Peru is a party to the main United Nations human rights instruments, including:

- The International Covenant on Civil and Political Rights.
- The International Covenant on Economic, Social and Cultural Rights.
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto.
- The International Convention for the Protection of All Persons from Enforced Disappearance.
- The Convention on the Elimination of All Forms of Discrimination against Women.
- The International Convention on the Elimination of All Forms of Racial Discrimination.
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
- The Convention on the Rights of the Child and the three Optional Protocols thereto, including the third Optional Protocol on a communications procedure.
- The Convention on the Rights of Persons with Disabilities.

In addition, the procedure for the accession of Peru to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights is currently under evaluation.

1. Peru and the universal human rights system

Peru has a policy of strict compliance with its international human rights commitments and remains convinced that the active participation of States in the Human Rights Council and their cooperation with the mechanisms and special procedures used to evaluate their compliance with those obligations are important for the strengthening of the universal human rights system.

(a) Participation of Peru in the Human Rights Council

Peru has been committed to the construction and institutional strengthening of the Human Rights Council since its establishment.[1] It participates actively in the debates of the Council and cooperates with its organs and special procedures, thereby helping the Council to more effectively promote universal respect for and the protection of the fundamental rights of all persons in accordance with legitimacy criteria, without discrimination of any kind and without political selectivity.

In that context, in recent years Peru has submitted Human Rights Council resolutions on equal participation in political and public affairs (30/9), the impact of arms transfers on human rights (32/12), national policies and human rights (30/24) and human rights and the regulation of civilian acquisition, possession and use of firearms (29/10). It has also co-sponsored other important resolutions, notably those related to combating all forms of discrimination and to the protection and promotion of the human rights of vulnerable groups.

(b) Cooperation with the mechanisms and special procedures of the universal human rights system

Peru cooperates with the monitoring bodies for the treaties to which it is a party, including through the submission of the relevant national reports and the implementation of the observations and recommendations of the monitoring bodies.

Furthermore, in a demonstration of its positive, committed and transparent approach to ensuring that human rights are respected and protected, Peru volunteered to be one of the first States reviewed under the universal periodic review mechanism. The results of its first periodic review by the Human Rights Council were highly positive. The process gave the Peruvian Government the opportunity to demonstrate the commitments and significant progress made at the national level towards consolidating democracy while also strengthening the exercise and guarantee of human rights and fundamental freedoms.

Peru is currently preparing for its next universal periodic review in late 2017. To that end, the various Government sectors are working to put together information on the measures that they have implemented and the progress that has been made with regard to respect for and the promotion of human rights and the fulfilment of their international obligations.

Between 1996 and 1998, Peru was visited by the Special Rapporteur on the independence of judges and lawyers and the Working Group on Arbitrary Detention. Moreover, in 2002 Peru extended a standing invitation to the special rapporteurs, independent experts and working groups of the former Commission on Human Rights, now the Human Rights Council, to visit, assess and report on the country, in accordance with their mandates.

In that context, Peru has received visits in recent years from the following special procedures mandate holders:

- Special Rapporteur on adequate housing as a component of the right to an adequate standard of living (2003).
- Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (2004).
- Special Rapporteur on the human rights of migrants (2004).

[1] Peru was a founding member of the Human Rights Council and was later a member during the period 2011-2014.

- Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (2007).
- Special Rapporteur on the rights of indigenous peoples (2009 and 2013).
- Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (2010).
- Special Rapporteur on contemporary forms of slavery, including its causes and consequences (2011).
- Working Group on the issue of discrimination against women in law and in practice (2014).
- Working Group on Enforced or Involuntary Disappearances (2015).

Those visits, and the resulting recommendations, served as the basis for the development and implementation of policies and measures designed to achieve significant progress on the protection and promotion of human rights in Peru. The Government has addressed and followed up on the observations and recommendations issued by each of the mechanisms in the system and has provided information as required on the various topics in question.

As part of the continuation of this national policy, coordination is under way for visits this year by:

- The Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes.
- The Working Group on the issue of human rights and transnational corporations and other business enterprises.
- The Special Rapporteur on the situation of human rights defenders.

2. Peru and the inter-American human rights system

At the regional level, Peru is committed to regional stability and the strengthening of peace. Peru reiterates its adherence to dialogue as the means for peaceful resolution of disputes. In that connection, Peru supports efforts within the Organization of American States (OAS) to reform the inter-American human rights system in order to strengthen it through dialogue among member States, members of the Inter-American Commission on Human Rights and the judges of the Inter-American Court of Human Rights. Peru maintains a policy of respecting and complying with the recommendations and decisions of the organs of the inter-American human rights system.

Within OAS, Peru has submitted a number of important resolutions on human rights in recent years, including those relating to access to public information and protection of personal data; persons who have disappeared and assistance to members of their families; and gender equity and balanced geographic and legal-system representation on the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights. It has also co-sponsored many other resolutions, notably those aiming to strengthen the promotion and protection of the rights of persons in vulnerable situations.

Furthermore, Peru is seeking and proposing ways to make the organs of the inter-American human rights system financially sustainable and provide them with an adequate budget. It is also examining proposals to resolve the problem of the backlog of petitions and cases before the Inter-American Commission on Human Rights.

3. Progress at the national level

Peru has a national human rights plan — its priority instrument in the field of human rights — that is constantly being updated, and it works continuously to maintain and strengthen the foundations of an independent justice system that respects due process, fights all forms of discrimination, in particular against women, and supports the rights of the child, indigenous peoples, persons with disabilities and older persons, among other vulnerable groups.

The National Human Rights Plan 2014-2016 was adopted in 2014, and to date much hard work has been done to draft the National Human Rights Plan 2017-2021, which will seek to establish more ambitious targets and goals on the basis of previous experiences and outcomes.

The new National Human Rights Plan 2017-2021 will focus on guidelines in five basic areas, namely: (i) the promotion of a culture of human rights and peace in Peru; (ii) the design and strengthening of public policies on the promotion and protection of civil, political, economic, social, cultural and environmental rights; (iii) the design and implementation of policies in favour of groups that require special protection; (iv) a strengthening of the domestic legal order through the adoption and/or implementation of international instruments for the promotion and protection of human rights; and (v) the implementation of standards for the protection of human rights in the activities of private and public enterprises.

Furthermore, Peru maintains an Office of the Ombudsman, an autonomous constitutional body established under the 1993 Constitution, whose mission is to protect the constitutional and fundamental rights of the individual and the community and to oversee the fulfilment of public administration duties and the provision of high-quality public services to citizens. It operates in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), which set the nature, scope and areas of action of such institutions.

Given that extreme poverty hampers the full and effective exercise of human rights and weakens democracy and popular participation, the Government of Peru has been implementing social policies to combat poverty. This has been bolstered by the country's significant economic growth, which has made it possible to devote greater efforts to guaranteeing its citizens the full and effective exercise of their fundamental rights. These policies have been translated into concrete and verifiable progress and improvement in indicators in the areas of education, health, child malnutrition, education and basic services, where the targets set for 2015 were broadly achieved, in line with the Millennium Development Goals. Now that those targets have been achieved, progress is continuing towards the achievement of the Sustainable Development Goals.

The country acts in accordance with international law, its Constitution and international human rights instruments. In this context, the Peruvian State has been strengthening efforts to prevent social tension and conflicts and will continue to work with regional organizations and civil society to gain their valuable contributions to human rights issues.

4. Commitments made by Peru to human rights

As testimony to the importance the country attaches to the promotion and protection of human rights, the following commitments made by Peru in that regard, at both the domestic and the international levels, should be noted:

(a) At the domestic level

- To strengthen the implementation of policies on social inclusion, equity and poverty eradication, from a gender perspective, with a view to improving the quality of life and well-being of all citizens, in particular vulnerable individuals.
- To continue striving to ensure the right to health for all citizens.
- To improve the effectiveness of constitutional, administrative and criminal measures adopted with the aim of eliminating all types of discriminatory practice and promoting the formal and substantive equality of persons under the country's jurisdiction, in line with the commitments assumed under relevant international instruments.
- To improve access to justice in Peru by taking measures to guarantee the right to due process for citizens, with a view to, among other things, combating impunity.
- To reaffirm its commitment to the victims of the violent acts of the 1980s and 1990s by continuing to implement symbolic, material, individual and collective reparations programmes as part of the Comprehensive Reparations Plan.
- To improve dialogue with indigenous peoples and scale up efforts to improve their quality of life, focusing on reducing poverty, promoting their development and adequately protecting their living environment.
- To ensure the effective implementation and monitoring of policies to be adopted under the National Human Rights Plan 2017-2021.
- To expand and develop public policy measures aimed at protecting vulnerable population groups and to include other groups that need state intervention to secure their rights, such as lesbian, gay, bisexual, transgender and intersex persons, domestic workers and human rights defenders.
- To continue to implement policies intended to guarantee equal access to inclusive, high-quality education for all citizens, in particular vulnerable individuals such as persons with disabilities and indigenous peoples, and to eliminate gender disparities at all levels of education.
- To continue to make every effort to combat all forms of discrimination against women and girls, seeking to eliminate all forms of violence against them, including trafficking, sexual exploitation and other types of exploitation, and fostering the effective participation of and equal opportunities for women in political, economic and public life.

(b) At the international level

- To continue participating constructively in the universal periodic review process and responding to the recommendations emerging from this mechanism.
- To continue to promote the strengthening of the Human Rights Council's special procedures and encourage more States to extend standing invitations. Peru serves as an example of this practice, as it has maintained a standing invitation to special procedures mandate holders to visit the country and submit a report in accordance with their mandate.
- To focus its efforts on submitting and supporting resolutions and documents in the General Assembly and the Human Rights Council that deal with important

human rights issues and closely related topics, such as democracy, extreme poverty, combating impunity, and the rights of indigenous peoples, among others.

- To continue to support the strengthening of the Office of the United Nations High Commissioner for Human Rights and uphold its mandate.
- To continue fostering the promotion and protection of the human rights of all people, especially women, children, older persons, persons with disabilities and indigenous peoples, and to continue to participate actively in all efforts being carried out at the global or regional levels in this area.
- To strengthen collaboration with the monitoring bodies for the human rights treaties to which Peru is a party, submitting the relevant periodic reports and implementing the recommendations issued by those bodies.
- To continue supporting the work of international judicial bodies, in particular the International Criminal Court, and promoting progress towards universal adherence to the Rome Statute.
- To promote cooperation and the exchange of information between the United Nations human rights system and regional systems.
- To foster international cooperation between States with a view to achieving the targets set under the Sustainable Development Goals.